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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/877,597	06/08/2001	Barry H. Schwab	VID-01702/29	1591
25006	7590	01/26/2006	EXAMINER	
GIFFORD, KRASS, GROH, SPRINKLE & CITKOWSKI, P.C			NASH, LASHANYA RENEE	
PO BOX 7021			ART UNIT	
TROY, MI 48007-7021			PAPER NUMBER	
			2153	

DATE MAILED: 01/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/877,597	Applicant(s) SCHWAB ET AL.	
	Examiner LaShanya R Nash	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

This office action is in response to an Amendment filed October 14, 2005. Claims 1, and 3-11 are presented for further consideration.

### **Response to Arguments**

Applicant's arguments, with respect to the rejections of claims 1, and 3-11 under 35 USC 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground of rejection is made in view of newly found prior art reference McGlothlin et al. (US Patent 6,512,526), as set forth below in the Office Action.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, and 3-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamper, in view of McGlothlin et al. (US Patent 6,512,526), hereinafter referred to as Kamper and McGlothlin.**

In reference to claim 1, Kamper discloses a method for transferring configuration preferences to a plurality of computers employing a removable storage device, (abstract). Kamper explicitly discloses:

- A method (Figure 4; column 2, lines 1-26) of transferring user preferences (i.e. configuration data allocated to different personnel; column 5, line 54 to column 6, line 11; Figure 3-item John Doe), comprising the steps of:
  - Providing a transportable data storage medium, (column 3, line 56 to column 4, line 5; Figure 3);
  - Recording on the transportable data storage medium, at a first computer (i.e. smart card configured with configuration data subsequent to the physical setup of the server), information relating to a user's computer configuration preferences, (column 5, lines 54 to column 6, line 11);
  - Receiving the transportable data storage medium at a second computer, (i.e. the removable storage device reader is easily moved and coupled to a plurality of servers, one after another; column 5, lines 20-27);
  - At least temporarily configuring the second computer in accordance with the information stored on the transportable medium, (i.e. a single smart card to be used to configure a plurality of servers; columns 6-7).

However, Kamper fails to expressly disclose that the configuration data is unique information relating to a particular user's computer configuration preferences, including

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information relating to the user's preferred desktop graphical interface. Nonetheless, these were well known features in the art at the time of invention, as further evidenced by McGlothlin. Therefore, it would have been obvious to accordingly modify the method as disclosed by Kamper, for one of ordinary skill in the art.

In an analogous art, McGlothlin discloses a method that to allow customization of an individual user's desktop of a personal computer system environment (abstract; Figure 6). McGlothlin discloses the method wherein stored configuration data is unique information relating to a particular user's computer configuration preferences (i.e. desktop layout for each user (column 4, line 22- column 5, line 31); including information relating to the user's preferred desktop graphical interface (i.e. desktop layout includes graphical portions of desktop components; column 5, lines 32-column 6, line 6). One of ordinary skill in the art would have been motivated to implement this modification so as further allow configuration of the computing devices (i.e. including the graphical user interface) to be based on the preferences and expertise of different users, thereby increasing ease of use (Kamper column 5, line 65-column 6, line 5).

In reference claim 3, Kamper shows the method wherein storage medium includes information relating to wire or wireless network or dialup communication preferences, (i.e. IP address; hostname; gateway; column4, lines 6-13).

In reference claim 4, Kamper shows the method wherein storage medium includes information relating to one or more user files or information relating to a user file, (i.e. client boot files; column 3, lines 4-28).

In reference to claim 5, Kamper shows the method further includes the step of accessing a remote location to at least temporarily configure the second computer in accordance with the information stored on the transportable storage medium, (column3, lines 4-28; Figure 1).

In reference to claim 6, Kamper shows the method wherein the remote location includes data or an application program (i.e. applications) desired by the user at the second computer, (column3, lines 4-28; Figure 1).

In reference to claim 7, Kamper shows the method wherein the step of at least temporarily configuring the second computer occurs through re-booting the second computer or through a different user log-on (column 4, lines 1-10).

In reference to claim 8, Kamper shows the method wherein the storage medium uses a magnetic, optical, magneto-optical, or semiconductor memory, (column 3, line 56 to column 4, line 5; column 5, lines 45-65).

In reference to claim 9, McGlothlin shows prompting the user to retain the storage medium following the reconfiguration of second machine (column 6, lines 39-56).

In reference to claim 10, Kamper shows the method wherein the storage medium is in the form of a disk or card, (i.e. smart card; column 3, line 56 to column 4, line 5; column 5, lines 45-65; Figure 3).

**Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamper and McGlothlin as applied to claim 1, in view of Lenz (US Patent 6,029,196), hereinafter referred to as Lenz.**

In reference to claim 11, Kamper and McGlothlin disclose substantial features of the claimed invention such as storing user files on the storage medium (column 3, lines 5-26), and storing the user files at a second computer (i.e. storage device created at a remote place; column 7, lines 17-28). However, Kamper and McGlothlin do not explicitly disclose that the user files are updated in accordance with the user at the second computer. Nonetheless, it would have been obvious to one of ordinary skill in the art at the time of invention to accordingly modify the method as disclosed by Kamper and McGlothlin, as further evidenced by Lenz.

In an analogous art, Lenz discloses a method for configuration of client preferences and settings in a computer environment, wherein updates to client files are used to replace existing files (column 2 lines 12-14). One of ordinary skill in the art would have been so motivated to implement this modification so as to update the user

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files on the storage medium at the second computer replacing existing user files from the first computer, thereby alleviating the need to for users to manually update their stored preferences and settings, (Lenz column 1, lines 12-24).

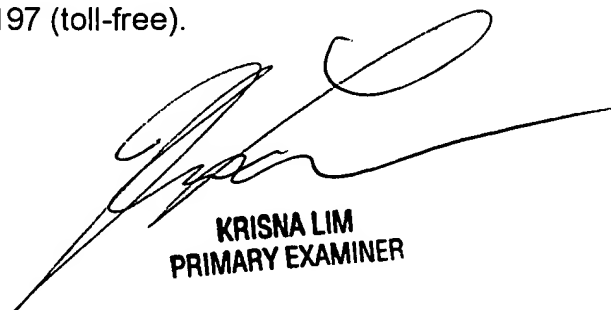
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShanya R Nash whose telephone number is (571) 272-3957. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShanya Nash  
Art Unit, 2153  
January 9, 2006



KRISNA LIM  
PRIMARY EXAMINER